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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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In the Matter of

Amendment of Section 97.205 (g)

FCC MAIL ROOM

and other Sections
related to Amateur Repeater Stations
including the definition of "Repeater"

PR Docket 93-85

COMMENTS OF AN ORIGINAL PETITIONER

To the Honorable FCC COMMISSIONERS:

In January, 1991, Joe Jarrett and I filed a Petition for Rule Making, RM-7649, regarding the responsibility for transmissions over amateur repeaters. On March 29, 1993, the Commission issued a Notice of Proposed Rule Making on this measure.

With this, I wish to go on record in support of the proposed construction of 47 CFR § 97.205(g) as proposed in PR Docket 93-85, which states:

(g) The control operator of a repeater is not accountable for violative communications that the repeater retransmits inadvertently.

and for the new definition of the term "Repeater," which is:

(36) Repeater. An amateur station that instantaneously retransmits on a different channel the angle-modulated phone or image emission transmission of another amateur station.

There is one exception. The word "channel," which appears in the definition of "Repeater," should be changed to read "frequency." It seems the term "channel" is not defined in Part 97.

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Amateur radio has not been channelized, as commercial radio has been, where rules such as 47 CFR § 73.603 have been enacted to assign frequencies to channels. It is further my position that amateur radio should not be channelized.

The same substitution of words should be made in 47 CFR § 97.205(e).

Other issues addressed in PR Docket 93-85 include a proposed solution for regulatory problems involving "packet" data transmissions. While I have limited experience with data communications on amateur radio, I do have certain experience as Sysop of a computer bulletin board for the North Texas PC Users' Group (1700 members), and have used computer bulletin boards for nine or ten years. This tends to show me the wisdom of the Commission's approach for the construction of 47 CFR § 97.217, regarding message forwarding systems. Based on my experience, I would agree with this arrangement. I would now tend to disagree that packet systems should operate at regulatory parity with voice repeaters, where only the originating station will be responsible for the content of messages. I have heard from those with considerable experience with packet, who say they will be able to live with the arrangement provided in PR Docket 93-85, and I support it.

Respectfully submitted,



Tom Blackwell, N5GAR

6-30-93

**P.O. Box 25403
Dallas, Texas 75225
(214) 361-7531**